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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,190	11/13/2001	Eric Cohen-Solal	US010548	3023

24737 7590 11/04/2004

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BRIARCLIFF MANOR, NY 10510

EXAMINER

DESIRE, GREGORY M

ART UNIT PAPER NUMBER

2625

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/014,190	<b>Applicant(s)</b> COHEN-SOLAL ET AL.	
	<b>Examiner</b> Gregory M. Desire	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2001.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-19 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 13 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/27/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. New corrected drawings are required in this application because the drawings filed 11/19/01 were objected to by the Draftsperson. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 5-8 and 14-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Honey et al (5,917,553).

Regarding method, system, software claims 1, 15, 18 and 19 Honey discloses,

Receiving at least on video data stream (note fig. 3 block 140 in connection with col. 4 lines 26-29 broadcast camera provides a data stream bc1 and fig. 4 block 200

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processor receives video data stream output from the video controller via digital converter 212)

Identifying one or more regions of interest (ROIs) for the logo in one or more images comprising the at least one data stream (note col. 5 lines 2-15 and fig. 3 146, 148 and 150, the lines cite pan and tilt sensor identifying a field of view, which the examiner interpret as a region of interest, and col. 8 lines 36-39, target may be identified within a field of view and position determined and col. 3 lines 45-50, describes the target as advertisements the examiner interprets as logo).

Analyzing the one or more ROIs to detect if the logo is present in at least on of the ROIs (note col. 7 lines 61-65, processor analyze ROI (field of view) detecting if logo (target) is present; and

Using the detection of the presence of the logo, in making one of a broadcasting and advertisement decision (note col. 7 line 63 - col. 8 line 5 examiner interprets enhancing target, replacement graphic, changing color as broadcast decisions).

Regarding method and system claims 2 and 16 Honey discloses,

Wherein the at least one video data stream comprises a single broadcast data stream (note fig. 3 block 140 and col. 4 lines 26-30 broadcast camera outputs BC1, wherein BC1 is a data stream comprising a single broad cast).

Regarding method and system claims 5 and 17 Honey discloses,

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Wherein the at least one video stream comprises two or more separate video data streams, the two or more data streams selectable for broadcasting the event (note col. 6 lines 13-18, two or more data stream (plurality of monitors) selectable (selection circuits) broadcasting the event).

Regarding method claim 6 Honey discloses,

Wherein the detection of the logo in one or more of the data streams is used in the broadcast decision (note col. 6 lines 16-19 choosing signal for broadcasting by producer, examiner interprets as one or more of the data streams used in a broadcast decision).

Regarding method claim 7 Honey discloses,

Wherein one of the data streams in which the logo is detected is used to broadcast the event (note col. 6 lines 10-11, the data stream is used to broadcast the event).

Regarding method claim 8 Honey discloses,

Wherein the step of identifying one or more ROIs for the logo is based on at least one of a color, shape and texture of the logo (note col. 8 lines 28-29 and 57-67). Field of view for the logo (target) is identified based on pattern recognition techniques roughly estimates the target, examiner interprets as its shape.

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Regarding method claim 14 Honey discloses,

Wherein analyzing the one or more ROIs to detect if the logo is present in at least one of ROIs comprises using template matching (note col. 10 lines 15-25, examiner interprets comparing and storing as template matching to analyze region of interest to detect presence of a logo).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honey et al (5,917,553) in view of Honey et al (6,466,275).

Regarding method claim 3 Honey discloses,

A logo is detected during the event. However, silent compiling the time the logo is detected. Honey ('275) discloses compiling the time the logo is detected (note col. 5 lines 29-33, col. 8 lines 13-15, col. 11 lines 20-37 and col. 12 lines 23-25, time code is inserted in a video frame, wherein the frame includes the logo (target), all the time codes are recorded, examiner interprets as being compiled.). Therefore it would have been obvious to one having ordinary skills in the art to compile the time a logo is detected in the system of Honey ('533). Post processing data (note col. 12 lines 23-25)

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would have been a desirable feature in event broadcasting, due to editing and postproduction functions necessary in broadcasting events and Honey ('275) recognizes post processing would be expected when compiling the time a logo is detected in the system of Honey ('533).

Regarding method claim 4 Honey and Honey discloses,

Wherein the time the logo is detected during the event is used make an advertising decision (note Honey '275 col. 12 lines 23-25, the examiner interprets recorded data can be reviewed at a later time for post processing and advertiser can see how logo was presented at a specific time to better enhance product visibility to its customer viewing the event.).

6. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honey et al (5,917,533) in view of Lipson et al (5,963,670).

Regarding method claim 9 Honey discloses,

Identifying one or more ROIs for the logo. However, Honey is silent identifying a number of adjacent pixels having the same color as the logo. Lipson discloses identifying adjacent pixels having the same color as the logo (note col. 7 lines 28-33, relationship processors identifies color region of a logo (object). Therefore it would have been obvious to one having ordinary skills in the art to identify a number of adjacent pixels having the same color as the logo in the system of Honey. Classifying



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regions (note Lipson col. 2 lines 10-15) would have been a desirable feature when identifying regions and Lipson recognizes such classification technique would be expected when identifying adjacent pixels having the same color as the logo is identified in Honey.

Regarding method claim 10 Honey and Lipson discloses,

Wherein identifying one or more ROIs for the logo comprises identifying measures of texture in samples of a location within the image that correspond to like measures of texture (note Lipson col. 7 lines 30-32, lines cite relationship processor identifying texture of region of an object).

Regarding method claim 11 Honey and Lipson discloses,

Wherein identifying one or more ROIs for the logo comprises using template matching that identifies shapes within the image that correspond with the shape of the logo (note Lipson col. 7 line 56- col. 8 line 15, matching is perform identifying shape of an logo (object)).

7. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honey in view of Kressel (6,690,829).

Regarding method claim 12 Honey discloses,

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Analyzes one or more ROIs to detect if the logo is present. However, Honey is silent using radial basis function (RBF) classification modeling. Kressel discloses using radial basis function (RBF) classification modeling (note Kressel col. 2 lines 40-55). Therefore it would have been obvious to one having ordinary skills in the art to use radial basis function classification modeling in the system of Honey. High accuracy, avoiding false classification would have been a desirable feature when analyzing a region of logo (target), due to other possible target objects and Kressel recognizes high accuracy, avoiding false classification would be expected when using radial basis function (RBF) classification modeling in the system of Honey.

Regarding method claim 13 Honey and Kressel discloses,

Wherein the RBF classification modeling includes training using images of the logo having a multiplicity of perspectives and scales (note col. 2 line 64- col. 3 lines 20, modeling includes training of data set of multiple features).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703) 308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire  
Examiner  
Art Unit 2625



G.D.  
October 27, 2004